

**SUPREME COURT MINUTES
WEDNESDAY, JULY 8, 2009
SAN FRANCISCO, CALIFORNIA**

S034072**PEOPLE v. CURL (ROBERT
ZANE)**

Rehearing denied; opinion modified
Baxter, J., was recused and did not participate.

S172198

B196535 Second Appellate District, Div. 7

**PEOPLE v. RODRIGUEZ
(SALVADOR)**

Petition for review granted; briefing deferred (rule 8.512(d)(2))
Further action in this matter is deferred pending consideration and disposition of a related issue in *People v. Brookfield*, S147980 (see Cal. Rules of Court, rule 8.512(d)(2)), or pending further order of the court. Submission of additional briefing, pursuant to California Rules of Court, rule 8.520, is deferred pending further order of the court.
Votes: George, C. J., Kennard, Baxter, Werdegar, Chin, Moreno, and Corrigan, JJ.

S172377

A114959 First Appellate District, Div. 3

**INTERNATIONAL
ASSOCIATION OF FIRE
FIGHTERS LOCAL 188,
AFL-CIO v. PUBLIC
EMPLOYMENT RELATIONS
BOARD (CITY OF
RICHMOND)**

Petition for review granted
Votes: George, C. J., Kennard, Baxter, Werdegar, Chin, Moreno, and Corrigan, JJ.

S173042

C058034 Third Appellate District

**K.J. v. ROMAN CATHOLIC
BISHOP OF STOCKTON**

Order filed: case held pending decision in another case
Review having been granted in this matter on June 24, 2009, further briefing is deferred pending disposition in *Quarry v. Doe I*, S171382 by this court.

S172332 G041201 Fourth Appellate District, Div. 3 **PEOPLE v. BENITEZ
(SAMUEL)**

Petition for review granted; transferred to Court of Appeal, Fourth Appellate District, Division Three

The cause is transferred to the Court of Appeal, Fourth Appellate District, Division Three, with directions to vacate its judgment and to reconsider the matter in light of *Melendez-Diaz v. Massachusetts* (June 25, 2009, No. 07-591) __ U.S. __, 2009 WL 1789468.

Kennard, J., is of the opinion the matter should be retained by this court for review.

Votes: George, C. J., Baxter, Werdegarr, Chin, Moreno, and Corrigan, JJ.

S172522 B215083 Second Appellate District, Div. 2 **NATIONAL SERVICE
INDUSTRIES, INC. v. S.C.
(VERNON)**

Petition for review granted; transferred to Court of Appeal, Second Appellate District, Division Two, with directions to issue an order to show cause.

The matter is transferred to the Court of Appeal, Second Appellate District, Division Two, with directions to issue an order to show cause returnable before that court.

Chin and Corrigan, JJ., were recused and did not participate.

Votes: George, C. J., Kennard, Baxter, Werdegarr, and Moreno, JJ.

S173863 B205392 Second Appellate District, Div. 5 **PEOPLE v. GREER (DONALD
WAYNE)**

Petition for review granted; transferred to Court of Appeal, Second Appellate District, Division Five.

The matter is transferred to the Court of Appeal, Second Appellate District, Division Five, with directions to vacate its decision and reconsider the cause in light of *People v. Kelly* (2006) 40 Cal.4th 106, 120-121. (Cal. Rules of Court, rule 8.528(d).)

Votes: George, C. J., Kennard, Baxter, Werdegarr, Chin, and Moreno, JJ.

S168281 **ASIAN PACIFIC AMERICAN
LEGAL CENTER v. HORTON
(MARK B.)**

Petition for writ of mandate/prohibition denied

In light of this court's decision in *Strauss v. Horton* (S168047), *Tyler v. State of California* (S168066), and *City & County of San Francisco v. Horton* (S168078), issued on May 26, 2009, the petition for extraordinary relief, including writ of mandate, is denied.

S168302**EQUAL RIGHTS
ADVOCATES v. HORTON
(MARK B.)**

Petition for writ of mandate/prohibition denied

In light of this court's decision in *Strauss v. Horton* (S168047), *Tyler v. State of California* (S168066), and *City & County of San Francisco v. Horton* (S168078), issued on May 26, 2009, the petition for writ of mandate is denied.

S168332**CALIFORNIA COUNCIL OF
CHURCHES v. HORTON
(MARK B.)**

Petition for writ of mandate/prohibition denied

In light of this court's decision in *Strauss v. Horton* (S168047), *Tyler v. State of California* (S168066), and *City & County of San Francisco v. Horton* (S168078), issued on May 26, 2009, the petition for a writ of mandate or prohibition is denied.

S172102 A116400 First Appellate District, Div. 2**PEOPLE v. KHAN (ADNAN
ANJUM)**

Petition for review & publication request(s) denied

S172105 H032044 Sixth Appellate District**LEWIS (DONALD RAY) ON
H.C.**

Petition for review denied

S172349 C054696 Third Appellate District**PEOPLE v. ALEXANDER
(LARRY D.)**

Petition for review denied

S172368 B204830 Second Appellate District, Div. 6**FRANKE (NICOLAS A.) v.
BAM BUILDING COMPANY**

Petition for review denied

The request for judicial notice is granted.

S172401 B214914 Second Appellate District, Div. 2**SCHECKLES (JAMES
ROBERT) ON H.C.**

Petition for review denied

S172482 A120631 First Appellate District, Div. 5

Petition for review denied

**PEOPLE v. RAMIREZ
(PABLO)**

S172486 B213850 Second Appellate District, Div. 6
Petition for review denied

GODOY (ENRIQUE) ON H.C.

S172512 B202315/B203772 Second Appellate District, Div. 1 **DE LA BARCENA (ROBERT)
ON H.C.**

Petition for review denied
The request for judicial notice is granted.

S172516 E043652 Fourth Appellate District, Div. 2

Petitions for review denied
Kennard, J., is of the opinion the petitions should be granted.

**PEOPLE v. ALLEN (TELLIS
TYWAN)**

S172518 G039908 Fourth Appellate District, Div. 3

Petition for review & publication request(s) denied

**PEOPLE v. PADILLA, JR.,
(IGNACIO)**

S172520 B194465 Second Appellate District, Div. 6

Petition for review denied
Moreno, J., is of the opinion the petition should be granted.

**PEOPLE v. GODOY
(ENRIQUE ANTHONY)**

S172564 C056219 Third Appellate District

Petitions for review denied

**PEOPLE v. GOMEZ-PEREZ
(OCTAVIO)**

S172575 H030734 Sixth Appellate District

Petition for review denied

**PEOPLE v. KENNEDY
(THOMAS BLAKE)**

S172579 C056765 Third Appellate District

Petition for review denied

**PEOPLE v. HUGGINS, JR.,
(MICHAEL JOHN)**

S172580 F055285 Fifth Appellate District

Petition for review denied

**PEOPLE v. VALDEZ, SR.,
(MARIO)**

S172585 D052533 Fourth Appellate District, Div. 1

Petition for review & depublication request(s) denied

**BAINS III (ROBERT REESE)
v. MOORES (JOHN J.)**

S172594 H031750 Sixth Appellate District

Petition for review denied

**PEOPLE v. DALY (JAMES
EDMOND)**

S172602 B210705 Second Appellate District, Div. 5

Petition for review denied

**PEOPLE v. CASTELLANOS
(LUIS)**

S172606 F056867 Fifth Appellate District

Petition for review denied
Baxter, J., was recused and did not participate.

**ENRIQUEZ (FRANKIE) ON
H.C.**

S172607 G040742 Fourth Appellate District, Div. 3

Petition for review denied

**PEOPLE v. MARQUEZ (JOSE
RALPH)**

S172635 C054076 Third Appellate District

Petition for review denied

**PEOPLE v. PATTERSON
(MICAHA AUSTIN)**

S172665 A119028 First Appellate District, Div. 5

Petition for review denied

**PEOPLE v. BERMUDEZ
(LUIS E.)**

S172671 C054565 Third Appellate District

Petition for review denied

**PEOPLE v. WHITE, JR.,
(THOMAS)**

S172677 A120233 First Appellate District, Div. 1

Petition for review denied

**PEOPLE v. MUSAELIAN
(ANDREW MICHAEL)**

S172682 H031704 Sixth Appellate District

Petition for review denied

PEOPLE v. VIET (ROGER)

S172709 D052681 Fourth Appellate District, Div. 1

Petition for review denied

**PEOPLE v. ARROYO
(BENITO)**

S172724 B215549 Second Appellate District, Div. 7

Petition for review denied

SIZEMORE (GARY) ON H.C.

S172725 F055352 Fifth Appellate District

Petition for review denied

**PEOPLE v. WHEELER
(WILLIE RAYVON)**

S172741 H032917 Sixth Appellate District

Petition for review denied

**PEOPLE v. GUTIERREZ
(TRANQUILINO PUEBLA)**

S172747 B202511 Second Appellate District, Div. 3

Petition for review denied

**PEOPLE v. HORTON (ERROL
LANDON)**

S172756 B203345 Second Appellate District, Div. 6
Petition for review denied

**PEOPLE v. KENNEDY, JR.,
(PATRICK MICHAEL)**

S172758 C059131 Third Appellate District
Petition for review denied

**PEOPLE v. BUTLER (JULIUS
VICTOR)**

S172760 H034079 Sixth Appellate District
Petition for review denied

**THOMAS (JAMES EDWARD)
ON H.C.**

S172769 B205512 Second Appellate District, Div. 2
Petitions for review denied

**PEOPLE v. SAMANIEGO
(IVAN)**

S172787 G040258 Fourth Appellate District, Div. 3
Petition for review denied

**PEOPLE v. LONGORIA
(EDGAR)**

S172789 B207595 Second Appellate District, Div. 6
Petition for review denied

**PEOPLE v. FISHER (TODD
WARREN)**

S172794 D053652 Fourth Appellate District, Div. 1
Petition for review denied

**PEOPLE v. SMITH
(ROSEMARY)**

S172812 C057231 Third Appellate District
Petition for review denied

**PEOPLE v. MAEDA
(MITCHELL MASAACKI)**

S172816 B208434 Second Appellate District, Div. 8
Petition for review denied

**HARUTYUNYAN (VAHAN) v.
S.C. (PEOPLE)**

S172817 E048080 Fourth Appellate District, Div. 2 **GRIFFIN (ELLIOTT LEW) ON H.C.**

Petition for review denied

Petitioner's request for judicial notice, received on May 11, 2009, is granted.

Petitioner's request for judicial notice, received on June 22, 2009, is denied.

The petition for review is denied.

S172846 **ROLLINS (DENNIS) v. CDC PAROLE OFFICIALS**

Petition for review denied

S172847 A124723 First Appellate District, Div. 3 **BEATTY (GRACE M.) v. WORKERS' COMPENSATION APPEALS BOARD (KAISER PERMANENTE HOSPITAL)**

Petition for review denied

Werdegar, J., was recused and did not participate.

S172876 F053344 Fifth Appellate District **PEOPLE v. SPIGNER, JR., (VERTIS DENVER)**

Petition for review denied

S172878 E045532 Fourth Appellate District, Div. 2 **PEOPLE v. ASHWORTH (RICHARD)**

Petition for review denied

S172882 D051360 Fourth Appellate District, Div. 1 **KUNIT (DON) v. KUNIT (ELENE)**

Petition for review denied

S172884 G039594 Fourth Appellate District, Div. 3 **SZANTO (PHILLIP T.) v. SZANTO (PETER)**

Petition for review denied

S172890 A120628 First Appellate District, Div. 2

Petition for review denied

**PEOPLE v. DAWSON
(WILLIAM RUSSELL)**

S172892 E043695 Fourth Appellate District, Div. 2

Petition for review denied

**PEOPLE v. TRAISTER (CARL
DEAN)**

S172936 F057341 Fifth Appellate District

Petition for review denied

**WASHINGTON
(CHRISTOPHER) ON H.C.**

S172946 G041142 Fourth Appellate District, Div. 3

Petition for review denied

**PEOPLE v. ACKERMAN
(JOHN FORD)**

S173003 B204858 Second Appellate District, Div. 8

Petition for review denied

PEOPLE v. FELIX (ANDRES)

S173006 C056749 Third Appellate District

Petition for review denied

**GLENN COUNTY VETERANS
COUNCIL, INC. v. COUNTY
OF GLENN**

S173019 D053018 Fourth Appellate District, Div. 1

Petition for review denied

**DONNELLY (GERRY) v.
NEGRETE (VIDA F.)**

S173029 B210619 Second Appellate District, Div. 5

Petition for review denied

A.A., IN RE

S173036 B200516 Second Appellate District, Div. 8

Petition for review denied

**TIERNEY (PATRICIA) v.
STACEY, JR., (RALPH L.)**

S173045 D052192/D052648 Fourth Appellate District, Div. 1 **PEOPLE v. O'SHELL
(DAVID)**

Petition for review denied

S173066 D052972 Fourth Appellate District, Div. 1 **BECERRA (BIBIANA),
ESTATE OF**

Petition for review denied

S173068 C058220 Third Appellate District **PEOPLE v. BRYSON
(CHRISTOPHER SHAWN)**

Petition for review denied

S173074 D051154 Fourth Appellate District, Div. 1 **LOERCH (TERRY) v.
REGENTS OF THE
UNIVERSITY OF
CALIFORNIA**

Petition for review denied

S173078 D054310 Fourth Appellate District, Div. 1 **ABRAMS (DOUGLAS) v. S.C.
(ABRAMS)**

Petition for review denied

S173079 B215584 Second Appellate District, Div. 1 **GENEVIER (PIERRE) v. S.C.
(COUNTY OF LOS
ANGELES)**

Petition for review denied

S173102 E046117 Fourth Appellate District, Div. 2 **CONTINENTAL CASUALTY
v. WORKERS'
COMPENSATION APPEALS
BOARD/(GOODIN)**

Petition for review & publication request(s) denied

S173111 C056440 Third Appellate District **VAN ALSTYNE (THOMAS) v.
CARTER (STEVEN)**

Petition for review denied

S173134 F055171 Fifth Appellate District

Petition for review denied

PEOPLE v. HATLEY (ROCKY LEE)

S173137 D052725 Fourth Appellate District, Div. 1

Petition for review denied

PEOPLE v. RANDOLPH (DARRYL)

S173139 B208022 Second Appellate District, Div. 1

Petition for review denied

PEOPLE v. NEAL (JULIUS LAMAR)

S173140 E041148 Fourth Appellate District, Div. 2

Petition for review denied

PEOPLE v. BELCHER (JUSTIN CORDELL)

S173141 B215652 Second Appellate District, Div. 2

Petition for review denied

CRANE COMPANY v. S.C. (WASHINGTON)

S173142 B208694 Second Appellate District, Div. 6

Petition for review denied

PEOPLE v. PALMER (WANDA)

S173144 F055333 Fifth Appellate District

Petition for review denied

PEOPLE v. DOWNS (IVORY LEWIS)

S173147 G040168 Fourth Appellate District, Div. 3

Petition for review denied

PEOPLE v. FOX (SPENCER WILLIAM)

S173156 B215581 Second Appellate District, Div. 7

Petition for review denied

BARRIOS (MANUEL) ON H.C.

S173159 A119779 First Appellate District, Div. 2
Petition for review denied

PEOPLE v. SA (LOEUN)

S173187 B215250 Second Appellate District, Div. 1
Petition for review denied

**POLLARD (BOBBY RAY) ON
H.C.**

S173188 B203969 Second Appellate District, Div. 7
Petition for review denied

**PEOPLE v. BELL (DERRICK
MICHAEL)**

S173192 B209209 Second Appellate District, Div. 1
Petition for review denied

**PEOPLE v. CAIN (RESA
MONIQUE)**

S173196 D052388 Fourth Appellate District, Div. 1
Petition for review denied

PEOPLE v. LEE (TOMMY)

S173197 B200935 Second Appellate District, Div. 6
Petition for review denied

**PEOPLE v. PAREDES (RUDY
ANTHONY)**

S173209 A124771 First Appellate District, Div. 5
Petition for review denied

**MEYERS (LEON) v. S.C.
(PEOPLE)**

S173220 C059530 Third Appellate District
Petition for review denied

**PEOPLE v. MURPHY (JAMES
RICHARD)**

S173222 B206668 Second Appellate District, Div. 8
Petition for review denied

**AMEZCUA (ROBERT) v.
COUNTY OF LOS ANGELES**

S173237 B206570 Second Appellate District, Div. 1
Petition for review denied

PEOPLE v. LEE (PHILIP)

S173244 A121487 First Appellate District, Div. 4
Petition for review denied

**ROYSE (JOSEPH) v. PHELPS
(JONATHAN)**

S173249 E045109 Fourth Appellate District, Div. 2
Petition for review denied

**PEOPLE v. TOMASELLO
(THOMAS JAMES)**

S173251 B215482 Second Appellate District, Div. 6
Petition for review denied

**KINNAMON (TODD LEE) v.
S.C. (PEOPLE)**

S173254 C058674 Third Appellate District
Petition for review denied

**PEOPLE v. JONES
(RUSSELL)**

S173255 B202979 Second Appellate District, Div. 6
Petition for review denied

**PEOPLE v. SPIVEY
(SHANNON ANTONIO)**

S173258 D051969 Fourth Appellate District, Div. 1
Petition for review denied

**PEOPLE v. WILLIAMS, JR.,
(TOMMIE L.)**

S173262 B205202 Second Appellate District, Div. 6
Petition for review denied

PEOPLE v. TREJO (DANIEL)

S173263 G040018 Fourth Appellate District, Div. 3
Petition for review denied

PEOPLE v. RITH (NAVUEN)

S173266 D053252 Fourth Appellate District, Div. 1

Petition for review denied

**BRUNO (ANGELO) v.
MATRIX INITIATIVES,
INC.**

S173268 F054276 Fifth Appellate District

Petition for review denied

**EVANS (JAMAR) v. MERCY
MEDICAL CENTER**

S173271 G040062 Fourth Appellate District, Div. 3

Petition for review denied

**PEOPLE v. LOY (JOSHUA
ALLEN)**

S173277 E045385 Fourth Appellate District, Div. 2

Petition for review denied

**MORENO (HELIODORO) v.
CORONEL (JAVIER MORA)**

S173278 G038588/G040145 Fourth Appellate District, Div. 3 **PEOPLE v. HAITH (DONNA
KAYE)**

Petition for review denied

S173280 E044720 Fourth Appellate District, Div. 2

Petition for review denied

**PEOPLE v. MONTALVO, JR.,
(JOSE M.)**

S173281 B207671 Second Appellate District, Div. 7

Petition for review denied

**PEOPLE v. HERRMANN
(CHARLES)**

S173284 C056196 Third Appellate District

Petition for review denied

**PEOPLE v. BARTON
(RICHARD CLIFTON)**

S173286 B206860 Second Appellate District, Div. 3
Petition for review denied

PEOPLE v. CEJA (JOSE ROBERTO)

S173295 G040510 Fourth Appellate District, Div. 3
Petition for review denied

PEOPLE v. AMATO (ENRICO LEONARD)

S173298 B207108 Second Appellate District, Div. 5
Petition for review denied

PEOPLE v. LEWIS (RODNEY ANTHONY)

S173302 B206572 Second Appellate District, Div. 2
Petition for review denied

PEOPLE v. GOMEZ (MIGUEL ANGEL)

S173304 A120495 First Appellate District, Div. 1
Petition for review denied

PEOPLE v. DAVIS (LARRY CLYDE)

S173311 H032571 Sixth Appellate District
Petition for review denied

PEOPLE v. ESAU (JACOB ISAIAH)

S173313 B216000 Second Appellate District, Div. 5

Petition for review denied
The request for judicial is denied.

RINGGOLD-LOCKHART (JUSTIN) v. S.C. (OLDMAN, COOLEY, SALLUS, GOLD, BIRNBERG & COLEMAN LLP.)

S173315 B203800 Second Appellate District, Div. 7

Petition for review denied

**IGLESIA EVANGELICA
LATINA, INC. v. SOUTHERN
PACIFIC LATIN AMERICAN
DISTRICT OF THE
ASSEMBLIES OF GOD**

S173326 F055720 Fifth Appellate District

Petition for review denied

**PEOPLE v. HENDERSON
(CHRISTOPHER GLENN)**

S173332 B210723 Second Appellate District, Div. 6
Petition for review denied

J.G., ADOPTION OF

S173345 A122450 First Appellate District, Div. 5

Petition for review denied

**SONOMA, COUNTY OF v.
S.C. (SONOMA COUNTY
LAW ENFORCEMENT
ASSOCIATION)**

S173348 A120175 First Appellate District, Div. 2

Petition for review denied

**PEOPLE v.
MARTINEZ-DELGADO
(MARIO AARON)**

S173352 A121826 First Appellate District, Div. 3

Petition for review denied

**PEOPLE v. ABELLA (MARK
FACUN)**

S173353

Petition for review denied

**CAMPBELL (LARRY W.) v.
S.C. (LINGAN)**

S173355 C058365 Third Appellate District

Petition for review denied

**PEOPLE v. FISK (KEVEN
MICHAEL)**

S173357 A124772 First Appellate District, Div. 2

Petition for review denied

**HAMER (WILLIAM) v. S.C.
(JOHN STEWART
COMPANY)**

S173358 A122663 First Appellate District, Div. 5
Petition for review denied

A.O., IN RE

S173361 A122226 First Appellate District, Div. 5

Petition for review denied

**PEOPLE v. MCENTYRE
(THOMAS GORE)**

S173367 F053845/F053950 Fifth Appellate District
Petition for review denied

PEOPLE v. SAESEE (SMITH)

S173369 B206223 Second Appellate District, Div. 3

Petition for review denied

**COHEN M.D. (ARLAN A.) v.
MICHAEL BROWN, ESQ.**

S173372 A114961/A116750/A117270
First Appellate District, Div. 2

Petition for review denied

**PAPAZIAN II (GILBERT) &
PAPAZIAN (AMY),
MARRIAGE OF**

S173374 E044086/E045236 Fourth Appellate District, Div. 2
**LYONS (RICHARD A.) v.
WAWANESA GENERAL
INSURANCE COMPANY**

Petition for review denied

S173377 H032308 Sixth Appellate District

Petition for review denied

**PEOPLE v. HERNANDEZ
(ANTONIO GONZALES)**

S173380 B216036 Second Appellate District, Div. 3 **RHODES (KAVIN MAURICE)
v. S.C. (PEOPLE)**

The petition for review is denied without prejudice to filing the Penal Code section 1054.9 motion for discovery in the trial court, as directed by the May 19, 2009, order of the Court of Appeal in this matter.

S173381 C061448 Third Appellate District **SHEIKH (REHAN) v.
WORKERS'
COMPENSATION APPEALS
BOARD (CONSTITUTION
STATE SERVICES)**

Petition for review denied
Chin, J., was recused and did not participate.

S173383 B207196 Second Appellate District, Div. 4 **TRIALBLAZER
TECHNOLOGIES, INC. v.
PEOPLESUPPORT
RAPIDTEXT, INC.**

Petition for review denied

S173384 C057979 Third Appellate District **PEOPLE v. SAECHAO (LAI
KUANG)**

Petition for review denied

S173387 C055832 Third Appellate District **PRINDLE (ANGELA MARIE),
ESTATE OF**

Petition for review denied
Corrigan, J., was recused and did not participate.

S173388 E046593/E046992 Fourth Appellate District, Div. 2 **L.C., IN RE**
Petition for review denied

S173390 A122042 First Appellate District, Div. 1 **PEOPLE v. SMITH (STEVEN
ROSS)**

Petition for review denied

S173392 B209827 Second Appellate District, Div. 2
Petition for review denied

PEOPLE v. BAILEY (DEJAY)

S173393 B206927 Second Appellate District, Div. 7
Petition for review denied

**JAMISON (EDDIE B.) v.
ROTH (THOMAS)**

S173394 D054621 Fourth Appellate District, Div. 1
Petition for review denied

**PEOPLE v. PALOS
(RICHARD JUAREZ)**

S173410 A121059 First Appellate District, Div. 1
Petition for review denied

**PEOPLE v. BETETA (JOSE
NAPOLEON)**

S173423 B207150 Second Appellate District, Div. 6
Petition for review denied

**PEOPLE v. HARRIS
(DEWAYNE LAMONT)**

S173428 D050631 Fourth Appellate District, Div. 1
Petition for review denied

**WHISPERING RIDGE
HOMEOWNERS
ASSOCIATION v. CHAUDRY
(A. WAHEED)**

S173441 C057616 Third Appellate District
Petition for review denied

**PEOPLE v. ALGERE
(ARLANDO)**

S173442 D053605 Fourth Appellate District, Div. 1
Petition for review denied

G.P., IN RE

S173450 A124858 First Appellate District, Div. 2
Petition for review denied

**POLK (SUSAN) v. S.C.
(PEOPLE)**

S173466 H033093 Sixth Appellate District

Petition for review denied

**PEOPLE v. BEARQUIVER
(SEAN PETE)**

S173467 C056055 Third Appellate District

Petition for review denied

**PEOPLE v. CARTHEN
(RODNEY RICHARD)**

S173469 F054388 Fifth Appellate District
Petition for review denied

PEOPLE v. ROJAS (DENNIS)

S173470 H032818 Sixth Appellate District

Petition for review denied

**PEOPLE v. SLOCUM
(TERRANCE DAMONE)**

S173474 F055213 Fifth Appellate District

Petition for review denied

**PEOPLE v. JARED (GLENN
EVERETT)**

S173475 G040133 Fourth Appellate District, Div. 3

Petition for review denied

**PEOPLE v. MAGALLANES
(SALVADOR DELGADO)**

S173478 D052426 Fourth Appellate District, Div. 1
Petition for review denied

PEOPLE v. NOURN (NY)

S173480 D052454 Fourth Appellate District, Div. 1

Petition for review denied

**PEOPLE v. HERNANDEZ
(TEODORO)**

S173487 B212175 Second Appellate District, Div. 8

Petition for review denied

**PEOPLE v. ZAMORA (BILLIE
JOE)**

S173491 B205670 Second Appellate District, Div. 4
Petition for review denied

**PEOPLE v. JOHNSON
(LIONEL)**

S173505 G041165 Fourth Appellate District, Div. 3
Petition for review denied

**PEOPLE v. ANAYA (ISMAEL
GARCIA)**

S173508 B204655 Second Appellate District, Div. 1
Petition for review denied

**PEOPLE v. ECKMAN
(TOMMY CURTIS)**

S173515 B206805 Second Appellate District, Div. 1
Petition for review denied

**PEOPLE v. JACKSON
(GLORIA)**

S173532 H031330 Sixth Appellate District

Petition for review denied

**MONTEREY VISTA MOBILE
ESTATES HOMEOWNERS'
ASSOCIATION v. BYBEE
(JOYCE P.)**

S173553 E045060 Fourth Appellate District, Div. 2
Petition for review denied

**PEOPLE v. JONES (ANDRE
DESHON)**

S173559 B208234 Second Appellate District, Div. 2
Petition for review denied

PEOPLE v. YONKO (JERRY)

S173560 B215932 Second Appellate District, Div. 6
Petition for review denied

**ASPHALT PROFESSIONALS,
INC. v. S.C. (T.O. IX LLC.)**

S173589 C061761 Third Appellate District

Petition for review denied

**NAIR (JAYRAJ) v. S.C.
(NAIR)**

S173590 A120991 First Appellate District, Div. 1

Petition for review denied

**HAWKINS (HETTIE LA
VERNE) v. TAPIA (JANET)**

S173600 D052079/D053300 Fourth Appellate District, Div. 1

Petition for review denied

**NATIONAL METAL
TECHNOLOGIES, INC. v.
GREENE (CRAIG)**

S173617 B215935 Second Appellate District, Div. 6

Petition for review denied

**ASPHALT PROFESSIONALS,
INC. v. S.C. (T.O. IX LLC.)**

S173650 E048319 Fourth Appellate District, Div. 2

Petition for writ of mandate/prohibition denied

**HENSON (KEITH) v. COURT
OF APPEAL, FOURTH
APPELLATE DISTRICT,
DIVISION TWO (PEOPLE)**

S173711 G040688 Fourth Appellate District, Div. 3

Petition for review denied

**DENEAL (JAMES HENRY) v.
SHAVER (RONNY)**

S173715 B216318 Second Appellate District, Div. 1

Petition for review & application for stay denied

**MARTINEZ (ANTHONY) v.
S.C. (PEOPLE)**

S173936 G041139 Fourth Appellate District, Div. 3

Petition for review & application for stay denied

**WEISS (MICHAEL A.) v.
SPEER (STEVEN)**

S106165**STANLEY (DARREN
CORNELIUS) ON H.C.**

Petition for writ of habeas corpus denied

The petition for writ of habeas corpus, filed on April 24, 2002, is denied.

All claims are denied on the merits, except Claim C-15, which is denied as premature, without prejudice to renewal after an execution date is set.

All claims, except Claims C-14, C-15, and C-16, are denied as untimely. (*In re Robbins* (1998) 18 Cal.4th 770, 780-781; *In re Clark* (1993) 5 Cal.4th 750, 765, fn. 4.)

Because Claim A-1 was raised and rejected on appeal, it is barred by *In re Waltreus* (1965) 62 Cal.2d 218 at page 225. To the extent Claim A-7 alleges the prosecution's peremptory challenges to five African American prospective jurors were not race-neutral, it is barred as having been raised and rejected on appeal. (*Ibid.*)

Corrigan, J., was recused and did not participate.

S107844**REILLY (MARK ANTHONY)
ON H.C.**

Petition for writ of habeas corpus denied

The petition for writ of habeas corpus, filed on June 26, 2002, is denied.

All claims are denied on the merits, with the exception of claim XVI, which is denied as premature and without prejudice to petitioner's filing of a renewed petition after an execution date is set.

Claims VII.B, VIII.A (¶¶ 135, 137-146, 148), VIII.C-F, XI, XII (¶¶ 345.A-C), XIII, IX (¶¶ 252, 257), XVII, XVII.A are barred as untimely. (*In re Robbins* (1998) 18 Cal.4th 770, 780, 814, fn. 34; *In re Clark* (1993) 5 Cal.4th 750.)

To the extent claim XVII alleges a claim other than ineffective assistance of counsel, it is barred by *In re Waltreus* (1965) 62 Cal.2d 218, 225, and *In re Harris* (1993) 5 Cal.4th 813, 825.

To the extent claim XVII.A could have been, but was not, raised on appeal, it is barred by *In re Dixon* (1953) 41 Cal.2d 756, 759, and *In re Harris*, supra, 5 Cal.4th at page 825, fn. 3.

Petitioner's request for judicial notice of all documents, records, exhibits and pleadings associated with his appeal (*People v. Hardy*, S004607), his previous two habeas corpus petitions (*In re Reilly on Habeas Corpus*, S031234; *In re Reilly on Habeas Corpus*, S058819), and codefendant James Hardy's two habeas corpus petitions (*In re Hardy on Habeas Corpus*, S022153; *In re Hardy on Habeas Corpus*, S093694) is denied as unnecessary, this court having previously granted a similar request on October 1, 2003.

S160998**TRAUTLOFF (JOHN H.) ON
H.C.**

Petition for writ of habeas corpus denied

S165413

Petition for writ of habeas corpus denied

**SODERSTROM (RANDY
LEE) ON H.C.****S167261**

Petition for writ of habeas corpus denied

DAY (DANE ALLEN) ON H.C.**S167882**

Petition for writ of habeas corpus denied

LOVE (ALEX) ON H.C.**S168480**

Petition for writ of habeas corpus denied

**FRAZIER (RICHARD) ON
H.C.****S168979**Petition for writ of habeas corpus denied
Baxter, J., was recused and did not participate.**HINSON (GEORGE) ON H.C.****S169109**The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750; *In re Swain* (1949) 34 Cal.2d 300, 304.)**HAYES (CLARENCE
JOSEPH) ON H.C.****S169389**

Petition for writ of habeas corpus denied

CLARK (KENNETH) ON H.C.**S169408**

Petition for writ of habeas corpus denied

**LYONS (WILLY CARL) ON
H.C.****S169410**

Petition for writ of habeas corpus denied

ALVARADO (ERIC) ON H.C.

S169419**DAVIS (SHERMAN LEVEL)
ON H.C.**

Petition for writ of habeas corpus denied

S169427**GORDON (BENJAMIN M.)
ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Swain* (1949) 34 Cal.2d 300, 304; *People v. Duvall* (1995) 9 Cal.4th 464, 474.)

S169537**SMITH (HOSEA) ON H.C.**

Petition for writ of habeas corpus denied

S169561**REECE (CHARLES G.) ON
H.C.**

Petition for writ of habeas corpus denied

S169588**SALGADO (VICTOR) ON
H.C.**

Petition for writ of habeas corpus denied

S169591**FREY (DORIS) ON H.C.**

Petition for writ of habeas corpus denied

S169614**SHEPARD, JR., (ROBERT
EARL) ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750.)

S169618**JAMES (RICHARD) ON H.C.**

Petition for writ of habeas corpus denied

S169647**GUEVARA (GUSTAVO) ON
H.C.**

Petition for writ of habeas corpus denied

S169648**VALENZUELA (JUAN) ON
H.C.**

Petition for writ of habeas corpus denied

S169657**SMART (LENELL E.) ON H.C.**

Petition for writ of habeas corpus denied

S169673**BOYD, JR., (GLENN L.) ON
H.C.**

Petition for writ of habeas corpus denied

S169685**JEFFERSON (ANTHONY
DESHAON) ON H.C.**

Petition for writ of habeas corpus denied

S169691**LOFTON (DONALD LEE) ON
H.C.**The petition for writ of habeas corpus is denied. (See *In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780.)**S169694****BARKER (RICHARD A.) ON
H.C.**

Petition for writ of habeas corpus denied

S169721**CULPEPPER (NORMAN
FREDERICK) ON H.C.**The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780.)**S169723****PARADELA (LORETO) ON
H.C.**

Petition for writ of habeas corpus denied

S169741**ARMSTRONG (EDWARD
BERRY) ON H.C.**The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780.)

S169746**HUYNH (TAI) ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750.)

S169747**TURNER (SCOTT TRAVON)
ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Swain* (1949) 34 Cal.2d 300, 304.)

S169783**RICHARDSON
(KRISTOPHER MICHAEL)
ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750; *In re Swain* (1949) 34 Cal.2d 300, 304.)

S169791**MCELROY (JAMES) ON H.C.**

Petition for writ of habeas corpus denied

S169794**WORD (MYRON EUGENE)
ON H.C.**

The petition for writ of habeas corpus is denied. (See *People v. Duvall* (1995) 9 Cal.4th 464, 474.)

S169796**GRAHAM (DANIEL) ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Swain* (1949) 34 Cal.2d 300, 304.)

S169802**SAMUEL (GERRAN L.) ON
H.C.**

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Swain* (1949) 34 Cal.2d 300, 304.)

S169805**BLACKMAN (KEVIN JACK)
ON H.C.**

Petition for writ of habeas corpus denied

S169832**WILLIAMS (JOHNATHAN S.)
ON H.C.**

Petition for writ of habeas corpus denied

S169840**ELLINGTON (BOBBY H.) ON
H.C.**The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Miller* (1941) 17 Cal.2d 734.)**S169863****SCHNEIDER (PENISIMANI
T.) ON H.C.**

Petition for writ of habeas corpus denied

S169866**GREER (PENNY DEBORAH)
ON H.C.**The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Miller* (1941) 17 Cal.2d 734.)**S169869****MITCHELL (JOHN
EDWARD) ON H.C.**The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Miller* (1941) 17 Cal.2d 734.)**S169879****MOMOH (AZEEZ) ON H.C.**

Petition for writ of habeas corpus denied

S169881**WALL (WILLIAM L.) ON
H.C.**The petition for writ of habeas corpus is denied. (See *In re Clark* (1993) 5 Cal.4th 750; *In re Miller* (1941) 17 Cal.2d 734.)**S169882****VASQUEZ (JOSE A.) ON H.C.**

Petition for writ of habeas corpus denied

S169885

Petition for writ of habeas corpus denied

VANG (ANDY) ON H.C.**S169886**

Petition for writ of habeas corpus denied

MACHUCA (HUGO) ON H.C.**S169889**

Petition for writ of habeas corpus denied

HUNT (DAVID) ON H.C.**S169892**

Petition for writ of habeas corpus denied

**CONTRERAS (GONZALO)
ON H.C.****S169898**

Petition for writ of habeas corpus denied

**GALVAN, SR., (PETE ALAN)
ON H.C.****S169901**

Petition for writ of habeas corpus denied

MUHAMED (NO) ON H.C.**S169905**

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750.)

**CHANDLER, JR., (GEORGE
R.) ON H.C.****S169909**

Petition for writ of habeas corpus denied

**PINA (DANIEL MICHAEL)
ON H.C.****S169949**

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750.)

**VILLAGRANA (AMBROSIO)
ON H.C.**

S169956**MCMORAN (RALPH
ROBERT) ON H.C.**

Petition for writ of habeas corpus denied

S169970**LEE (ROBERT) ON H.C.**

Petition for writ of habeas corpus denied

S169974**GOMEZ (LOUIS) ON H.C.**

Petition for writ of habeas corpus denied

S169979**TYLER (REGINALD C.) ON
H.C.**The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780.)**S169995****HUMISTON (ANNA) ON H.C.**

Petition for writ of habeas corpus denied

S169999**SCHNEIDER (ROGER D.) ON
H.C.**

Petition for writ of habeas corpus denied

S170003**HAILEY (DERRICK K.) ON
H.C.**The petition for writ of habeas corpus is denied. (See *In re Clark* (1993) 5 Cal.4th 750; *In re Dixon* (1953) 41 Cal.2d 756; *In re Lindley* (1947) 29 Cal.2d 709.)**S170023****VARELA (MANUEL JOE) ON
H.C.**

Petition for writ of habeas corpus denied

S170047**JACKSON (JUSTIN) ON H.C.**The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *People v. Duvall* (1995) 9 Cal.4th 464, 474; *In re Waltreus* (1965) 62 Cal.2d 218.)

S170066**FOUNTAIN (CARL) ON H.C.**

Petition for writ of habeas corpus denied

S170078**BUFFINGTON (LARRY) ON
H.C.**The petition for writ of habeas corpus is denied. (See *In re Dixon* (1953) 41 Cal.2d 756.)**S170081****WILLIAMSON (STEPHEN R.)
ON H.C.**The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750.)**S170082****HUE (JOHNY) ON H.C.**The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780.)**S170086****ALI (RIYAZ) ON H.C.**

Petition for writ of habeas corpus denied

S170099**BROOKS (JAY) ON H.C.**

Petition for writ of habeas corpus denied

S170106**MILLER (ERNEST) ON H.C.**The petition for writ of habeas corpus is denied. (See *In re Dexter* (1979) 25 Cal.3d 921.)**S170111****JONES (BENYELLE) ON H.C.**

Petition for writ of habeas corpus denied

S170113**COOPER (DEANGELO M.)
ON H.C.**The petition for writ of habeas corpus is denied. (See *In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780; *People v. Duvall* (1995) 9 Cal.4th 464, 474.)

S170119**GUTIERREZ (EDUARDO
BERNAL) ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Dixon* (1953) 41 Cal.2d 756; *In re Lindley* (1947) 29 Cal.2d 709.)

S170121**LOWE (ASHLEY) ON H.C.**

Petition for writ of habeas corpus denied

S170123**SHAHEED (OMAR) ON H.C.**

Petition for writ of habeas corpus denied

S170129**RAMIREZ (JUAN JOSE) ON
H.C.**

Petition for writ of habeas corpus denied

S170130**GRANDISON (JEFFERY S.)
ON H.C.**

Petition for writ of habeas corpus denied

S170135**LE (NHAN HOANG) ON H.C.**

Petition for writ of habeas corpus denied

S170136**STIPE (JERRY DEAN) ON
H.C.**

Petition for writ of habeas corpus denied

S170139**ALFARO (MICHAEL
ANTHONY) ON H.C.**

Petition for writ of habeas corpus denied

S170146**SPENCE (FRANCIS
BERNARD) ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Wessley W.* (1981) 125 Cal.App.3d 240, 246.)

S170165**STEPHENS (MARQUIS D.)
ON H.C.**

Petition for writ of habeas corpus denied

S170168**BAKER (KEVIN LEJON) ON
H.C.**The petition for writ of habeas corpus is denied. (See *People v. Duvall* (1995) 9 Cal.4th 464, 474.)**S170170****HERNANDEZ, JR., (EDWARD
B.) ON H.C.**The petition for writ of habeas corpus is denied. (See *People v. Duvall* (1995) 9 Cal.4th 464, 474.)**S170183****SMITH (MAKOTO
BERNARD) ON H.C.**

Petition for writ of habeas corpus denied

S170205**BURROUGHS (MICHAEL LE
MON) ON H.C.**The petition for writ of habeas corpus is denied. (See *In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780.)**S170208****ORTIZ (JOSE BALTAZAR)
ON H.C.**

Petition for writ of habeas corpus denied

S170214**NASH (CHRISTOPHER) ON
H.C.**The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780.)**S170232****BOWLES (DANIEL TREVOR)
ON H.C.**

Petition for writ of habeas corpus denied

S170237

**PHILLIPS (VINCENT S.) ON
H.C.**

Petition for writ of habeas corpus denied

S170238

SIMS (NATHAN) ON H.C.

Petition for writ of habeas corpus denied

S170244

**PHILLIPS (NICHOLAS) ON
H.C.**

Petition for writ of habeas corpus denied

S170247

**GONZALEZ (OSCAR) ON
H.C.**

Petition for writ of habeas corpus denied

S170270

**CONNER (KEVIN JASON) ON
H.C.**

The petition for writ of habeas corpus is denied. (See *In re Swain* (1949) 34 Cal.2d 300, 304; *People v. Duvall* (1995) 9 Cal.4th 464, 474.)

S170272

**WILLIAMS (KIRK
DOUGLAS) ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Clark* (1993) 5 Cal.4th 750.)

S170279

**NICHOLS (BRANDON C.) ON
H.C.**

The petition for writ of habeas corpus is denied. (See *In re Swain* (1949) 34 Cal.2d 300, 304.)

S170281

WEST (JEROME) ON H.C.

Petition for writ of habeas corpus denied

S170309

**WILSON, JR., (WALTER
HOWARD) ON H.C.**

Petition for writ of habeas corpus denied

S170311**CHARLESTON
(NATHANIEL) ON H.C.**

Petition for writ of habeas corpus denied

S170314**LOPEZ (RICHARD) ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750; *In re Dixon* (1953) 41 Cal.2d 756.)

S170315**MC GEE (BILLY WAYNE) ON
H.C.**

The petition for writ of habeas corpus is denied. (See *In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780.)

S170322**BRIA (ROBERT JOHN) ON
H.C.**

The petition for writ of habeas corpus is denied. (See *In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780.)

S170325**MCKINNON (RONALD
FRANK) ON H.C.**

Petition for writ of habeas corpus denied

S170338**RUDAN (KIRK E.) ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780.)

S170344**PEYER (CRAIG ALAN) ON
H.C.**

The petition for writ of habeas corpus is denied. (See *In re Miller* (1941) 17 Cal.2d 734.)

S170351**ALFORD (MARCUS
JEROME) ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780.)

S170353**BURTON, SR., (MICHAEL E.)
ON H.C.**

Petition for writ of habeas corpus denied

S170357**CARR (ANDRE) ON H.C.**

Petition for writ of habeas corpus denied

S170360**WHIPPLE (JAMES
RICHARD) ON H.C.**The petition for writ of habeas corpus is denied. (See *People v. Duvall* (1995) 9 Cal.4th 464, 474.)**S170364****ENRIQUEZ (EDUARDO) ON
H.C.**

Petition for writ of habeas corpus denied

S170371**CHAMPAGNE (ALVIN) ON
H.C.**The petition for writ of habeas corpus is denied. (See *In re Dixon* (1953) 41 Cal.2d 756.)**S170390****PIERSON (AHMAD) ON H.C.**The petition for writ of habeas corpus is denied. (See *In re Wessley W.* (1981) 125 Cal.App.3d 240, 246; *People v. Villa* (2009) 45 Cal.4th 1063.)**S170445****ARRUE (ANDREW) ON H.C.**The petition for writ of habeas corpus is denied. (See *In re Waltreus* (1965) 62 Cal.2d 218; *In re Lindley* (1947) 29 Cal.2d 709.)**S170446****THORNE (DAVID R.) ON H.C.**The petition for writ of habeas corpus is denied. (See *In re Miller* (1941) 17 Cal.2d 734.)**S170447****SIMPSON (MERL JONNE)
ON H.C.**

Petition for writ of habeas corpus denied

S170454**BROWN (SAMANTHA) ON
H.C.**

Petition for writ of habeas corpus denied

S170479**REYES (ESTEBAN) ON H.C.**

Petition for writ of habeas corpus denied

S170485**BENAVIDEZ (JOSE) ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Swain* (1949) 34 Cal.2d 300, 304; *People v. Duvall* (1995) 9 Cal.4th 464, 474.)

S170486**SHAISI (ALIREZA) ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Swain* (1949) 34 Cal.2d 300, 304; *People v. Duvall* (1995) 9 Cal.4th 464, 474; *In re Dixon* (1953) 41 Cal.2d 756; *In re Lindley* (1947) 29 Cal.2d 709.)

S170487**KILPATRICK (KARRY) ON
H.C.**

Petition for writ of habeas corpus denied

S170489**BUCKNER (BOBBY DEAN)
ON H.C.**

Petition for writ of habeas corpus denied

S170490**REYES (LEO ANTHONY) ON
H.C.**

The petition for writ of habeas corpus is denied. (See *In re Clark* (1993) 5 Cal.4th 750; *In re Waltreus* (1965) 62 Cal.2d 218; *In re Lindley* (1947) 29 Cal.2d 709; *In re Dixon* (1953) 41 Cal.2d 756.)

S170525**WELCH (EUGENE
EVERETT) ON H.C.**

Petition for writ of habeas corpus denied

S170541

Petition for writ of habeas corpus denied

HORACE (DARRYL) ON H.C.**S170973**

Petition for writ of habeas corpus denied

**HENDERSON (DARREN) ON
H.C.****S171246**The petition for writ of habeas corpus is denied. (See *In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780.)**MILLER (ERNEST) ON H.C.****S171751**

Petition for writ of habeas corpus denied

MILLER (ERNEST) ON H.C.**S171807**

Petition for writ of habeas corpus denied

**RISTAU (STEVEN ALLAN)
ON H.C.****S172122**The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Dixon* (1953) 41 Cal.2d 756.)**BAKER (KEVIN LEJON) ON
H.C.****S173136**

Petition for writ of habeas corpus denied

**BROWN (THORNELL) ON
H.C.****S173179**The petition for writ of habeas corpus is denied. (See *In re Dexter* (1979) 25 Cal.3d 921.)**WELLS (DONALD RAY) ON
H.C.****S173193**The petition for writ of habeas corpus is denied. (See *In re Dexter* (1979) 25 Cal.3d 921.)**SMITH (RAYMOND WAYNE)
ON H.C.**

S173202**VELASCO (RICHARD) ON
H.C.**

Petition for writ of habeas corpus denied

S173203**CALDERON-SILVA
(MARCELINO) ON H.C.**

Petition for writ of habeas corpus denied

S173319**MILLER (ERNEST) ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Dexter* (1979) 25 Cal.3d 921; *In re Robbins* (1998) 18 Cal.4th 770, 780.)

S173403**SILVIS III (JAMES
MONROE) ON H.C.**

Petition for writ of habeas corpus denied

S173557**MILLER (ERNEST) ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Dexter* (1979) 25 Cal.3d 921.)

S173680**CARTER (JARVIS ROBERT)
ON H.C.**

Petition for writ of habeas corpus denied

S173695**MUKATIN (SAGI) ON H.C.**

The petition for writ of habeas corpus is denied. (See *People v. Duvall* (1995) 9 Cal.4th 464, 474; *In re Dexter* (1979) 25 Cal.3d 921.)

S173704**REYES (GABRIEL) ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Dexter* (1979) 25 Cal.3d 921.)

S173716**FORCH (FRANKLIN
LARANCE) ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Swain* (1949) 34 Cal.2d 300, 304; *People v. Duvall* (1995) 9 Cal.4th 464, 474.)

S173778**MILLER (ERNEST) ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Dexter* (1979) 25 Cal.3d 921.)

S173783**SHADEK (THOMAS F.) ON
H.C.**

Petition for writ of habeas corpus denied

S173803**GRAHAM (GROVER LEE)
ON H.C.**

Petition for writ of habeas corpus denied

S173823**RENFROW (LEATHAN) ON
H.C.**

Petition for writ of habeas corpus denied

S173919**HATTAR (SAMUEL H.) ON
H.C.**

Petition for writ of habeas corpus denied

S173929**HARRIS (SMILEY JAMES)
ON H.C.**

Petition for writ of habeas corpus denied

S173980**FOX (DAVID SAMUEL) ON
H.C.**

The petition for writ of habeas corpus is denied. (See *In re Swain* (1949) 34 Cal.2d 300, 304; *People v. Duvall* (1995) 9 Cal.4th 464, 474.)

S173996**DEVAUGHN (MICHAEL O.)
ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Swain* (1949) 34 Cal.2d 300, 304; *People v. Duvall* (1995) 9 Cal.4th 464, 474.)

S174027**HADLEY (LEONARD) ON
H.C.**

The petition for writ of habeas corpus is denied. (See *In re Swain* (1949) 34 Cal.2d 300, 304; *In re Miller* (1941) 17 Cal.2d 734; *In re Robbins* (1998) 18 Cal.4th 770, 780.)

S174108**MACEY (STEPFON) ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Swain* (1949) 34 Cal.2d 300, 304; *People v. Duvall* (1995) 9 Cal.4th 464, 474.)

S174109**DEVAUGHN (ANTHONY M.)
ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Swain* (1949) 34 Cal.2d 300, 304; *People v. Duvall* (1995) 9 Cal.4th 464, 474.)

S174113**LARKINS (SAMUEL L.) ON
H.C.**

The petition for writ of habeas corpus is denied. (See *In re Swain* (1949) 34 Cal.2d 300, 304; *People v. Duvall* (1995) 9 Cal.4th 464, 474; *In re Dexter* (1979) 25 Cal.3d 921.)

S174116**HENDERSON (ALBERT) ON
H.C.**

The petition for writ of habeas corpus is denied. (See *In re Swain* (1949) 34 Cal.2d 300, 304; *People v. Duvall* (1995) 9 Cal.4th 464, 474; *In re Dexter* (1979) 25 Cal.3d 921.)

S173336

G038125 Fourth Appellate District, Div. 3

**PEOPLE v. RAMIREZ (GARY
RAY)**

Depublication ordered

The Reporter of Decisions is directed not to publish in the Official Appellate Reports the opinion in the above entitled appeal filed March 30, 2009, which appears at 172 Cal.App.4th 1018. (Cal. Const., art. VI, section 14; rule 8.1125(c)(1), Cal. Rules of Court.)

S172329

A121652 First Appellate District, Div. 3

**ELLIOTT (MARGARET) v.
REGENTS OF THE
UNIVERSITY OF
CALIFORNIA**

Publication request denied (case closed)

Werdegar, J., was recused and did not participate.

S172517 H031816 Sixth Appellate District

Depublication request denied (case closed)

**BENEFIELD (JAMES) v.
DEPARTMENT OF
CORRECTIONS &
REHABILITATION**

S172529 D053516 Fourth Appellate District, Div. 1
Publication request denied (case closed)

J.W., IN RE

S172534 D052011 Fourth Appellate District, Div. 1
Publication request denied (case closed)

J.O. ON H.C.

S172805 B206917 Second Appellate District, Div. 2

Publication request denied (case closed)

**GOLDEN EAGLE
INSURANCE CORPORATION
v. GERLING AMERICA
INSURANCE COMPANY**

S172915 C059491 Third Appellate District

Publication request denied (case closed)

**PEOPLE v. ARISMENDEZ
(ROLANDO)**

S173253 B196684/B199316 Second Appellate District, Div. 8

Depublication request denied (case closed)

**MULLER (MANFRED) v.
FRESNO COMMUNITY
HOSPITAL & MEDICAL
CENTER**

S173273 D052319 Fourth Appellate District, Div. 1

Publication request denied (case closed)

**PEOPLE v. LINCOLN
GENERAL INSURANCE
COMPANY**

S035190**PEOPLE v. HOUSTON (ERIC CHRISTOPHER)**

Extension of time granted

Good cause appearing, and based upon counsel David H. Schwartz's representation that he anticipates filing the appellant's reply brief by October 1, 2009, counsel's request for an extension of time in which to file that brief is granted to August 31, 2009. After that date, only one further extension totaling about 30 additional days is contemplated.

S043520**PEOPLE v. POWELL (CARL DEVON)**

Extension of time granted

Good cause appearing, and based upon counsel Neoma Kenwood's representation that she anticipates filing the appellant's opening brief by November 2, 2009, counsel's request for an extension of time in which to file that brief is granted to September 4, 2009. After that date, only one further extension totaling about 60 additional days is contemplated.

S045423**PEOPLE v. SANCHEZ-FUENTES (EDGARDO)**

Extension of time granted

Good cause appearing, and based upon Deputy State Public Defender Sara Theiss's representation that she anticipates filing appellant's opening brief by September 2010, counsel's request for an extension of time in which to file that brief is granted to September 4, 2009. After that date, only six further extensions totaling about 360 additional days are contemplated.

S048763**PEOPLE v. NELSON (SERGIO DUJUAN)**

Extension of time granted

Good cause appearing, and based upon Senior Deputy State Public Defender Joseph E. Chabot's representation that he anticipates filing the appellant's reply brief by March 5, 2010, counsel's request for an extension of time in which to file that brief is granted to September 4, 2009. After that date, only three further extensions totaling about 180 additional days are contemplated.

S079925**PEOPLE v. MORA (JOSEPH ADAM) & RANGEL (RUBEN)**

Extension of time granted

Good cause appearing, and based upon Supervising Deputy State Public Defender Michael J. Hersek's representation that he anticipates filing appellant Joseph Adam Mora's opening brief by September 11, 2009, counsel's request for an extension of time in which to file that brief is granted to September 11, 2009. After that date, no further extension is contemplated.

S087569**PEOPLE v. SANCHEZ (JUAN)**

Extension of time granted

Good cause appearing, and based upon Senior Deputy State Public Defender John Fresquez's representation that he anticipates filing the appellant's opening brief by December 2011, counsel's request for an extension of time in which to file that brief is granted to September 4, 2009. After that date, only 14 further extensions totaling about 820 additional days will be granted.

S093756**PEOPLE v. WILLIAMS
(COREY LEIGH)**

Extension of time granted

On application of appellant and good cause appearing, it is ordered that the time to serve and file appellant's opening brief is extended to August 3, 2009.

S099439**PEOPLE v. KREBS (REX
ALLAN)**

Extension of time granted

On application of appellant and good cause appearing, it is ordered that the time to serve and file appellant's opening brief is extended to September 4, 2009.

S099770**PEOPLE v. COOPER (LEON
CHAUNCEY)**

Extension of time granted

Good cause appearing, and based upon Deputy State Public Defender Karen Hamilton's representation that she anticipates filing the appellant's opening brief by December 31, 2009, counsel's request for an extension of time in which to file that brief is granted to September 4, 2009. After that date, only two further extensions totaling about 120 additional days are contemplated.

S104144**PEOPLE v. PEREZ, JR.,
(JOSEPH ANDREW)**

Extension of time granted

On application of appellant and good cause appearing, it is ordered that the time to serve and file appellant's opening brief is extended to September 8, 2009.

S112691**PEOPLE v. WESTERFIELD
(DAVID ALAN)**

Extension of time granted

On application of appellant and good cause appearing, it is ordered that the time to serve and file appellant's opening brief is extended to August 31, 2009.

S118629**PEOPLE v. WILLIAMS, JR.,
(ROBERT LEE)**

Extension of time granted

On application of appellant and good cause appearing, it is ordered that the time to serve and file appellant's opening brief is extended to September 9, 2009.

S119296**PEOPLE v. BATTLE
(THOMAS LEE)**

Extension of time granted

On application of appellant and good cause appearing, it is ordered that the time to serve and file appellant's opening brief is extended to September 11, 2009.

S138147**SMITH (GREGORY SCOTT)
ON H.C.**

Extension of time granted

Good cause appearing, and based upon Supervising Deputy Attorney General Susan Sullivan Pithey's representation that she anticipates filing the informal response to the petition for writ of habeas corpus by November 11, 2009, counsel's request for an extension of time in which to file that document is granted to September 4, 2009. After that date, only one further extension totaling about 60 additional days is contemplated.

S151243**TOBIN (CHRISTOPHER
ALLAN) ON H.C.**

Extension of time granted

On application of petitioner and good cause appearing, it is ordered that the time to serve and file petitioner's reply to informal response to the petition for writ of habeas corpus is extended to August 31, 2009.

S169214**GOMEZ (JOSE CARMEN) ON
H.C.**

Extension of time granted

On application of respondent and good cause appearing, it is ordered that the time to serve and file the informal response is extended to July 29, 2009.

S170084**MALDONADO (EDGAR
ALEJANDRO) ON H.C.**

Extension of time granted

On application of respondent and good cause appearing, it is ordered that the time to serve and file the Informal Response is extended to August 6, 2009.

S171845 G040675 Fourth Appellate District, Div. 3**KWIKSET CORPORATION v.
S.C. (BENSON)**

Extension of time granted

On joint application of parties and good cause appearing, it is ordered that the time to serve and file real parties' opening brief on the merits is extended to August 10, 2009. Petitioners' answer brief on the merits is to be served and filed on or before October 9, 2009, and real parties' reply brief on the merits is to be served and filed on or before November 9, 2009.

S024833**PEOPLE v. FARLEY
(RICHARD WADE)**

Counsel appointment order filed

On the court's own motion, the order appointing Michael G. Millman, as Executive Director of the California Appellate Project in San Francisco, to serve as interim habeas corpus/executive clemency counsel of record for appellant Richard Wade Farley, filed August 13, 2003, is hereby vacated.

Eric S. Multhaup is hereby appointed to represent appellant Richard Wade Farley for habeas corpus/executive clemency proceedings related to the above automatic appeal now pending in this court.

Any petition for writ of habeas corpus will be presumed to be filed without substantial delay if it is filed . . . within 36 months of this date (Supreme Ct. Policies Regarding Cases Arising From Judgments of Death, policy 3, timeliness std. 1-1.1), and it will be presumed that any successive petition filed within that period is justified or excused (see *In re Clark* (1993) 5 Cal.4th 750, 774-782), in light of prior habeas corpus/executive clemency counsel David L. Saine's declaration, in support of his motion to withdraw, to the effect that he was unable to discharge his duty to investigate and, if appropriate, present a habeas corpus petition on behalf of appellant Richard Wade Farley, and this court's delay in appointing replacement habeas corpus/executive clemency counsel.

Kennard, J., was recused and did not participate.

S075726**PEOPLE v. MOORE
(CHARLES EDWARD)**

Counsel appointment order filed

On the court's own motion, the order appointing Michael G. Millman, in his capacity as Executive Director of the California Appellate Project in San Francisco, as interim lead appellate counsel of record for appellant Charles Edward Moore, filed January 21, 2009, is hereby vacated. Cliff Gardner is hereby appointed as counsel of record to represent appellant Charles Edward Moore for the direct appeal in the above automatic appeal now pending in this court.

S093803**PEOPLE v. SEUMANU
(ROPATI)**

Counsel appointment order filed

Mark D. Greenberg, previously appointed as counsel of record to represent appellant Ropati Seumanu for the direct appeal in the above automatic appeal now pending in this court, is hereby appointed to also represent appellant Ropati Seumanu for habeas corpus/executive clemency proceedings related to the above automatic appeal.

Any "petition for a writ of habeas corpus will be presumed to be filed without substantial delay if it is filed . . . within 36months" of this date (Supreme Ct. Policies Regarding Cases Arising From Judgments of Death, policy 3, timeliness std. 1-1.1), and it will be presumed that any successive petition filed within that period is justified or excused (see *In re Clark* (1993) 5 Cal.4th 750, 774-782), in light of this court's delay in appointing habeas corpus/executive clemency counsel on behalf of appellant Ropati Seumanu.

S132449**PEOPLE v. PETERSON
(SCOTT LEE)**

Counsel appointment order filed

Upon request of appellant for appointment of counsel, Cliff Gardner is hereby appointed to represent appellant Scott Lee Peterson for the direct appeal in the above automatic appeal now pending in this court.

S078027**PEOPLE v. STREETER
(HOWARD LARCELL)**

Motion for access to sealed record granted

Howard Larcell Streeter's Motion to Unseal *Marsden* Transcripts, filed on May 21, 2009, is granted in part.

The clerk is directed to unseal the following portions of the reporter's transcript: Volume IV, pages 275-278A; Volume V, pages 359-361; and Volume XV, pages 1415-1424 and 1436-1457. The clerk is directed to make the unsealed copies part of the public record for this appeal, and send copies to counsel for respondent. Because pages 1425-1427 of Volume XV are not sealed, defendant's request to unseal those pages is denied as moot.

In light of the granting of defendant's motion, and the circumstance that pages 1386-1408 of Volume XIV of the reporter's transcript are not sealed, respondent's Motion for Sealed *Marsden* Records, filed on April 9, 2009, is denied as moot.

S172881

Petition denied

(accusation)

DONAHUE, ACCUSATION OF**S173077**

Petition denied

(accusation)

WANI, ACCUSATION OF**S173088**

Petition denied

(accusation)

ARCHIE, ACCUSATION OF**S173093**

Petition denied

(accusation)

BALLARD, ACCUSATION OF**S173106**

Petition denied

(accusation)

MELIM, ACCUSATION OF**S173293**

Petition denied

(accusation)

CURLAND, ACCUSATION OF**S173320**

Petition denied

(accusation)

MILLER, ACCUSATION OF**S173454**

Petition denied

(accusation)

THAW, ACCUSATION OF

**BAR MISC. 4186 IN THE MATTER OF THE APPLICATION OF THE COMMITTEE
OF BAR EXAMINERS OF THE STATE BAR OF CALIFORNIA
FOR ADMISSION OF ATTORNEYS (MOTION NO. 876)**

The written motion of the Committee of Bar Examiners that the following named applicants, who have fulfilled the requirements for admission to practice law in the State of California, be admitted to the practice of law in this state is hereby granted, with permission to the applicants to take the oath before a competent officer at another time and place:

(SEE ORIGINAL APPLICATION FOR THE LIST OF NAMES ATTACHED.)